

**BEFORE THE
SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

DOCKET NO. 2009-144-C

In the Matter of)	
)	
Application of TracFone)	
Wireless, Inc. For Designation as an)	RESPONSE TO ORS' MOTION FOR
Eligible Telecommunications)	EXTENSION OF TIME FOR FILING
Carrier in the State of South Carolina)	SURREBUTTAL TESTIMONY AND
for the Limited Purpose of Offering)	RESPONSIVE PLEADINGS
Lifeline Service to Qualified Households)	

TracFone Wireless, Inc. ("TracFone"), by its counsel, provides this Response to the Motion for Extension of Time for Filing Surrebuttal Testimony and Responsive Pleadings, filed by the South Carolina Office of Regulatory Staff ("ORS") on August 4, 2009. ORS requests an extension of at least ten (10) business days to file surrebuttal testimony and responsive pleadings to TracFone's Legal Memorandum in Support of Rebuttal Testimony. TracFone does not oppose an extension of ten business days so that ORS may file its surrebuttal testimony and responsive pleadings on or before August 20, 2009. However, TracFone wants the Commission to be aware of its position regarding the scheduling of remaining events in this matter.

Under the current schedule for this matter, a hearing is scheduled to begin at 10:30 a.m. on August 13, 2009 -- one week prior to the extended surrebuttal testimony filing date. Given that the record will not be complete until August 20, 2009, TracFone understands that the Commission will likely reschedule the hearing. ORS also requests in its Motion that the Commission schedule a separate hearing for oral arguments to address the issues raised in TracFone's Legal Memorandum. TracFone's Legal Memorandum addresses whether it is obligated under applicable South Carolina law to contribute to the South Carolina Universal

Service Fund ("SC USF"). ORS and TracFone agree that TracFone currently is not obligated to contribute to the SC USF and that this legal issue is not related to whether TracFone should be designated as an Eligible Telecommunications Carrier ("ETC"). Therefore, TracFone concurs with ORS's request that TracFone ETC Petition and the SC USF contribution issue be addressed at separate hearings. However, TracFone requests that the two hearings be scheduled for the same day or on consecutive days, if possible, so as to accommodate the schedules of individuals who will be required to travel to the hearings. Finally, under the current schedule, the hearing on this matter was to occur two weeks after the filing of surrebuttal testimony. TracFone requests the Commission to reschedule the hearing on this matter for September 3, 2009, or on a date as close thereto as practicable.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH, LLP



By: _____

D. Larry Kristinik (SC Bar No. 64983)

larry.kristinik@nelsonmullins.com

Jeremy C. Hodges (SC Bar No. 71123)

jeremy.hodges@nelsonmullins.com

1320 Main Street / 17th Floor

Post Office Box 11070 (29211)

Columbia, SC 29201

(803) 799-2000

Of Counsel:

Mitchell F. Brecher (Admitted *Pro Hac Vice*)

brecher@gtlaw.com

Debra McGuire Mercer

mercercdm@gtlaw.com

GREENBERG TRAURIG, LLP

2101 L Street, NW, Suite 1000

Washington, D.C. 20037

Telephone: (202) 331-3100 / Facsimile: (202) 331-3101

Attorneys for Applicant, TracFone Wireless, Inc.

August 5, 2009

**BEFORE THE
SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

DOCKET NO. 2009-144-C

In the Matter of)	
)	
Application of TracFone)	
Wireless, Inc. For Designation as an)	CERTIFICATE OF SERVICE
Eligible Telecommunications)	
Carrier in the State of South Carolina)	
for the Limited Purpose of Offering)	
Lifeline Service to Qualified Households)	

I hereby certify that on August 5, 2009, I served one copy of TracFone's Response to Motion for Extension of Time for Filing Surrebuttal Testimony and Responsive Pleadings by placing the documents in the U.S. Mail with first class postage paid the following individual:

Lessie Hammonds, Esq.
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211

Jeanne Carey

Columbia, South Carolina
July 30, 2009